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10/520,715	06/17/2005	Ralf Neuhaus	2002P02867W0US	2597
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Siemens Corporation Intellectual Property Department 170 Wood Avenue South Iselin, NJ 08830				
EXAMINER				
PHAN, MAN U				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action

1. The affidavit, exhibit or request for reconsideration has been considered but does not place the application in condition for allowance because:

Applicant's arguments are not persuasive. It's the examiner's position that the reference is applied herein for the teaching of a novel method and system for distributed search engines in a peer to peer network communication system. Applicant's attention is directed to Figs. 2c-2d of Dutta et al. (2002/0073204) for the teaching of the search topology of nodes within a peer to peer network ([0007], [0036]-[0038]).

Applicant argument with respect to the rejected claim 10 that *"as stated in Applicant's specification at para. [0029], the first search message includes information that the communication component is searching for ther components which support the search method."* (Remark – page 6, second paragraph). However, It is the claims that define the claimed invention, and it is claims, not specifications that are anticipated or unpatentable. *Constant v. Advanced Micro-Devices Inc.*, 7 USPQ2d 1064. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Examiner maintains that the references cited and applied in the last office actions for the rejection of the claims 10-28 are maintained in this office action. The final rejection mailed on December 31, 2008 is therefore maintained.

/Man Phan/

Primary Examiner, Art Unit 2419